

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

ROBERT DAVID WILLIAMS, SR.

PETITIONER

V.

NO. 4:09CV126-P-S

CHRISTOPHER EPPS, et al.

RESPONDENTS

ORDER DISMISSING PETITION FOR FAILURE TO PROSECUTE

Upon further consideration of the complaint and the files and records in this action, the court finds that an order dated January 7, 2010, required the Petitioner to complete a habeas form provided to him by the court. The Petitioner was warned that his failure to timely comply with the requirements of the order might lead to dismissal of this matter.

Although more than thirty (30) days has elapsed, the Petitioner has failed to submit the form as ordered. Rule 41(b), Federal Rules of Civil Procedure, provides, *inter alia*:

For failure of the plaintiff to prosecute or to comply with these Rules or any order of the court defendant may move for dismissal of an action or of any claim against him.

Therefore, it is hereby

ORDERED that the cause be DISMISSED without prejudice pursuant to Rule 41(b), Federal Rules of Civil Procedure, for failure to comply with an order of the court and this matter is CLOSED.

THIS the 1st day of March 2010.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE